HC-12

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उच्च न्यायालय, छत्तीसगढ, बिलासपुर

आदेश पत्रक

मामला क्रमांक Cr.M.P 426/07 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

PETITIONER Shyam Bai, w/o Satyendra Das, aged 36 years, R/o Village: Badra, P.S. Bhalumada, at present Village: Tendumuda, P.S. Marwahi, District Bilaspur C.G.

Vs

RESPONDENTS

1. Satyendra Das, s/o Vikramdas, aged about 39 years.
2. Ku. Pooja, D/o Satyendra Das, aged about 13 years.
3. Chandan, S/o Satyendra Das, aged about 11 years.
4. Ku. Jyoti, D/o Satyendra Das, aged about 8 years.
5. Kishan, S/o Satyendra Das, aged about 4 years.

Respondent No.2 to 5 through its guardian father Satyendra Das, s/o Vikramdas, aged about 39 years.
All the resident of Village Badra, Mohalla No.6, P.S. Bhalumuda, District: Shadol (MP)

Present:
Mr. Rakesh Sahu, Advocate for the petitioner.

ORAL ORDER
(10th October, 2007)

Per Dhirendra Mishra, J:

By this petition under Section 482 of the Cr.P.C. the petitioner has impugned the order dated 30.6.2007 passed by the learned Additional Sessions Judge (FTC), Pendra Road in Criminal Revision

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
I	 No.297/2006, whereby learned Additional Sessions Judge has rejected the criminal revision of the petitioner herein and affirmed the order of the Judicial Magistrate 1st Class, Pendra Road passed in M.J.C. No.2/2005 whereby the application of the petitioner for grant of maintenance has been rejected. Learned counsel for the petitioner submits that both the courts below have ignored the fact that because of the cruel treatment of respondent No.1 herein, the petitioner was forced to reside separately. I have heard learned counsel for the petitioner. From perusal of impugned order, it is evident that both the courts below have recorded concurrent finding of fact that respondent No.1 is residing with his four children, whereas, the petitioner is residing separately without any just and sufficient cause and even the attempts of respondent No.1 to bring back the petitioner to her matrimonial house were thwarted by the brother of petitioner, who assaulted respondent No.1 herein in presence of the petitioner herein. After going through the impugned order, this Court is satisfied that there is no illegality or infirmity in the impugned order warranting interference in exercise of jurisdiction under Section 482 of the Cr.P.C. In the result, the petition being devoid of substance deserves to be dismissed and it is hereby dismissed at the admission stage itself. Sd/- DHIRENDRA MISHRA Judge	